

(b) *Showing compliance with regulations.* Conducting flight tests and other operations to show compliance with the airworthiness regulations including flights to show compliance for issuance of type and supplemental type certificates, flights to substantiate major design changes, and flights to show compliance with the function and reliability requirements of the regulations.

(c) *Crew training.* Training of the applicant's flight crews.

(d) *Exhibition.* Exhibiting the aircraft's flight capabilities, performance, or unusual characteristics at air shows, motion picture, television, and similar productions, and the maintenance of exhibition flight proficiency, including (for persons exhibiting aircraft) flying to and from such air shows and productions.

(e) *Air racing.* Participating in air races, including (for such participants) practicing for such air races and flying to and from racing events.

(f) *Market surveys.* Use of aircraft for purposes of conducting market surveys, sales demonstrations, and customer crew training only as provided in § 21.195.

(g) *Operating amateur-built aircraft.* Operating an aircraft the major portion of which has been fabricated and assembled by persons who undertook the construction project solely for their own education or recreation.

(h) *Operating kit-built aircraft.* Operating a primary category aircraft that meets the criteria of § 21.24(a)(1) that was assembled by a person from a kit manufactured by the holder of a production certificate for that kit, without the supervision and quality control of the production certificate holder under § 21.184(a).

[Amdt. 21-21, 38 FR 6858, May 7, 1968, as amended by Amdt. 21-57, 49 FR 39651, Oct. 9, 1984; Amdt. 21-70, 57 FR 41369, Sept. 9, 1992]

§ 21.193 Experimental certificates: general.

An applicant for an experimental certificate must submit the following information:

(a) A statement, in a form and manner prescribed by the Administrator setting forth the purpose for which the aircraft is to be used.

(b) Enough data (such as photographs) to identify the aircraft.

(c) Upon inspection of the aircraft, any pertinent information found necessary by the Administrator to safeguard the general public.

(d) In the case of an aircraft to be used for experimental purposes—

(1) The purpose of the experiment;

(2) The estimated time or number of flights required for the experiment;

(3) The areas over which the experiment will be conducted; and

(4) Except for aircraft converted from a previously certificated type without appreciable change in the external configuration, three-view drawings or three-view dimensioned photographs of the aircraft.

§ 21.195 Experimental certificates: Aircraft to be used for market surveys, sales demonstrations, and customer crew training.

(a) A manufacturer of aircraft manufactured within the United States may apply for an experimental certificate for an aircraft that is to be used for market surveys, sales demonstrations, or customer crew training.

(b) A manufacturer of aircraft engines who has altered a type certificated aircraft by installing different engines, manufactured by him within the United States, may apply for an experimental certificate for that aircraft to be used for market surveys, sales demonstrations, or customer crew training, if the basic aircraft, before alteration, was type certificated in the normal, acrobatic, commuter, or transport category.

(c) A person who has altered the design of a type certificated aircraft may apply for an experimental certificate for the altered aircraft to be used for market surveys, sales demonstrations, or customer crew training if the basic aircraft, before alteration, was type certificated in the normal, utility, acrobatic, or transport category.

(d) An applicant for an experimental certificate under this section is entitled to that certificate if, in addition to meeting the requirements of § 21.193—

(1) He has established an inspection and maintenance program for the continued airworthiness of the aircraft; and

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(2) He shows that the aircraft has been flown for at least 50 hours, or for at least 5 hours if it is a type certificated aircraft which has been modified.

[Amdt. 21–21, 33 FR 6858, May 7, 1968, as amended by Amdt. 21–28, 35 FR 2818, Feb. 11, 1970; Amdt. 21–57, 49 FR 39651, Oct. 9, 1984; Amdt. 21–59, 52 FR 1836, Jan. 15, 1987]

§ 21.197 Special flight permits.

(a) A special flight permit may be issued for an aircraft that may not currently meet applicable airworthiness requirements but is capable of safe flight, for the following purposes:

(1) Flying the aircraft to a base where repairs, alterations, or maintenance are to be performed, or to a point of storage.

(2) Delivering or exporting the aircraft.

(3) Production flight testing new production aircraft.

(4) Evacuating aircraft from areas of impending danger.

(5) Conducting customer demonstration flights in new production aircraft that have satisfactorily completed production flight tests.

(b) A special flight permit may also be issued to authorize the operation of an aircraft at a weight in excess of its maximum certificated takeoff weight for flight beyond the normal range over water, or over land areas where adequate landing facilities or appropriate fuel is not available. The excess weight that may be authorized under this paragraph is limited to the additional fuel, fuel-carrying facilities, and navigation equipment necessary for the flight.

(c) Upon application, as prescribed in §§ 121.79, 127.27, and 135.17 of this chapter, a special flight permit with a continuing authorization may be issued for aircraft that may not meet applicable airworthiness requirements but are capable of safe flight for the purpose of flying aircraft to a base where maintenance or alterations are to be performed. The permit issued under this paragraph is an authorization, including conditions and limitations for flight, which is set forth in the certificate holder's operations specifications. The permit issued under this paragraph may be issued to—

(1) Certificate holders authorized to conduct operations under Part 121 or Part 127 of this chapter; or

(2) Certificate holders authorized to conduct operations under Part 135 for those aircraft they operate and maintain under a continuous airworthiness maintenance program prescribed by § 135.411 (a)(2) or (b) of that part.

The permit issued under this paragraph is an authorization, including any conditions and limitations for flight, which is set forth in the certificate holder's operations specifications.

[Doc. No. 5085, 29 FR 14570, Oct. 24, 1964, as amended by Amdt. 21–21, 33 FR 6859, May 7, 1968; Amdt. 21–51, 45 FR 60170, Sept. 11, 1980; Amdt. 21–54, 46 FR 37878, July 23, 1981]

§ 21.199 Issue of special flight permits.

(a) Except as provided in § 21.197(c), an applicant for a special flight permit must submit a statement in a form and manner prescribed by the Administrator, indicating—

(1) The purpose of the flight.

(2) The proposed itinerary.

(3) The crew required to operate the aircraft and its equipment, e.g., pilot, co-pilot, navigator, etc.

(4) The ways, if any, in which the aircraft does not comply with the applicable airworthiness requirements.

(5) Any restriction the applicant considers necessary for safe operation of the aircraft.

(6) Any other information considered necessary by the Administrator for the purpose of prescribing operating limitations.

(b) The Administrator may make, or require the applicant to make appropriate inspections or tests necessary for safety.

[Doc. No. 5085, 29 FR 14570, Oct. 24, 1964, as amended by Amdt. 21–21, 33 FR 6859, May 7, 1968; Amdt. 21–22, 33 FR 11901, Aug. 22, 1968]

Subpart I—Provisional Airworthiness Certificates

SOURCE: Docket No. 5085, 29 FR 14571, Oct. 24, 1964, unless otherwise noted.

§ 21.211 Applicability.

This subpart prescribes procedural requirements for the issue of provisional airworthiness certificates.